

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

ELSWORTH WHITE,

Plaintiff,

v.

Case No. 05-73718
Honorable Denise Page Hood
Magistrate Judge Paul J. Komives

MICHAEL BOUCHARD and
JOHN DOE,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION &
GRANTING DEFENDANT'S MOTION TO DISMISS**

Before the Court is Magistrate Judge Paul J. Komives' Report and Recommendation ("R & R") [Docket # 14], which recommends that Defendants' Motion to Dismiss [Docket # 11] be granted. Plaintiff did not file objections to the R & R.¹

If a party objects to specific portions of the R & R, a district court should "make a de novo determination of those portions." 28 U.S.C. § 636. If an R & R is not objected to, a district court need not review it by any standard. *See* 28 U.S.C. § 636; *see also Lardie v. Birkett*, 221 F. Supp. 2d 806, 807 (E.D. Mich. 2002). A district court "may accept, reject or modify, in whole or in part, the findings or recommendations made by the magistrate." 28 U.S.C. § 636(B)(1).

The Court has reviewed the R & R and agrees with its reasoning and conclusions of law.

In light of the foregoing,

IT IS ORDERED that the R & R of Magistrate Judge Paul J. Komives [Docket # 14] is **ACCEPTED** and **ADOPTED** as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Defendants' Motion to Dismiss [Docket # 11] is

¹The docket indicates that Plaintiff did not receive a copy of the R & R, because the copy was returned as undeliverable. *See* Docket # 15.

GRANTED.

IT IS FURTHER ORDERED that Plaintiff's Complaint is **DISMISSED WITHOUT PREJUDICE.**

s/ DENISE PAGE HOOD

Denise Page Hood

United States District Judge

Dated: May 27, 2008